



Ninety-Ninth Legislature - First Session - 2005
Introducer's Statement of Intent
LB 760

Chairperson: Patrick J. Bourne
Committee: Judiciary
Date of Hearing: March 16, 2005

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

This bill abolishes the death penalty and substitutes a sentence of "life without possibility of parole and with order of restitution." The rationale for LB 760 is presented in section 1 which says, among other things:

"(4) The Legislatures remains troubled by the lack of any meaningful procedure in the courts to ensure uniform application of the death penalty throughout the state despite the Legislature's express finding in 1978 of a radical lack of uniformity;

"(5) The history of attempts to carry out the death penalty in Nebraska demonstrates an inordinate burden on the justice system and on the lives of the innocent families and associates of both the victims and the convicted parties;

"(6) A maximum sentence of life imprisonment without possibility of parole and with order of restitution, subject only to the constitutional power of the Board of Pardons, and including a mandatory order of restitution, is preferable to the current capital punishment scheme. Such a maximum sentence reflects this state's desire to ensure the safety of its citizens, assist victims' families when possible, and yet preserve this state's values of human life, uniform fairness, and basic decency. . ."

Principal Introducer: _____
Senator Ernie Chambers